

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSE RUMUALDO-GALLARDO,

Defendant

8:22CR176

ORDER

This matter is before the court on defendant, Jose Rumualdo-Gallardo's Amended Unopposed Motion to Continue Trial [47]. Counsel needs additional time to complete plea negotiations. The court is advised the co-defendant has no objection to the continuance. Accordingly:

IT IS ORDERED that the Amended Unopposed Motion to Continue Trial [47] is granted, as follows:

1. The jury trial, **for both defendants**, now set for November 15, 2022, is continued to **January 24, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 24, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. The Unopposed Motion to Continue Trial [46] is denied as moot.

DATED: November 1, 2022

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge